

keeps BANCOLDEX interest rates in line with overall interest rate levels regardless of the Department's benchmarks. Finally, prospective benchmarks could be to the advantage, *i.e.*, too low, but just as well to the disadvantage, *i.e.*, too high, for the Colombia flower growers/exporters.

Department's Position: The Department disagrees with petitioners. The Department determines that suspension agreements are forward looking, and that the Department sets benchmark interest rates prospectively (See *Miniature Carnations from Colombia: Final Results of Countervailing Duty Administrative Review*; 56 FR 14240 (April 8, 1991) and *Miniature Carnations from Colombia: Final Results of Countervailing Duty Administrative Review and Determination Not To Terminate Suspended Investigation*; 59 FR 10790, (March 8, 1994)).

At verification, the Department examined documentation that indicated that BANCOLDEX charged interest rates on its short- and long-term loans above the Department's established benchmark rates in effect during the POR. The Department also found that the companies received BANCOLDEX loans on terms consistent with the suspension agreements. Consequently, we have determined that signatories were in compliance with the terms of the suspension agreements for the BANCOLDEX programs. Since BANCOLDEX loans were above the benchmark rates, the Department determines that the GOC did not confer any countervailable benefits through the BANCOLDEX programs during the POR. The Department finds that signatories complied with the suspension agreements' benchmarks and avoided countervailable benefits during the POR, resulting in a situation analogous to non-use for the BANCOLDEX programs by Colombian flower growers/exporters of the subject merchandise. Therefore, there is no basis for petitioners claim that suspension agreements are not in the public interest.

To ensure timely updates of the benchmarks for BANCOLDEX financing, however, the Department may request information on FINAGRO, commercial dollar loans and other alternative sources of financing in Colombia outside of the annual administrative review process (See Section III. Monitoring of the Agreement in *Roses and Other Cut Flowers from Colombia: Final Results of Countervailing Duty Administrative Review and Revised Suspension Agreement* 51 FR 44930 and 44933 (December 15, 1986) and *Suspension of Countervailing Duty*

Investigation: Miniature Carnations from Colombia 52 FR 1353 and 1355 (January 13, 1987)).

Comment 13: The FTC asserts that according to 19 CFR 355.19(b), the Department can revise the suspension agreements if it "has reason to believe that the signatory government or exporters have violated an agreement or that an agreement no longer meets the requirements of section 704(d)(1) of the Act." The FTC claims that respondents have violated the terms of the suspension agreements during the PORs (See Comments 5 and 9).

The GOC argues that all Colombian flower producers/exporters of minis and roses have fully complied with the terms of their respective suspension agreements and that it supports the Department's past policy of having suspension agreements be forward looking, and that the Department sets benchmarks interest rates prospectively.

The GOC asserts that there is no need to amend or clarify the suspension agreements and it was inappropriate for the Department to have requested comments from interested parties for the following reasons: first, the suspension agreements cannot be unilaterally amended or clarified by the Department or the Colombian flower growers/exporters. Second, the Department has no power to amend or clarify the agreements without the consent of all signatories. Third, the Department should first raise the issue with the signatories and negotiate an amendment, which then can be subject to public comments (See 19 CFR 355.18(g)).

The GOC contends that there is no basis for considering to amend the suspension agreements. Because dollar loans were provided by international financial institutions, the GOC asserts that the loans are non-countervailable and there is no need for the Department to determine whether these loans were granted on non-preferential terms.

The GOC argues that based on FTC's proposed amendments of the suspension agreements (See Comment 12), no Colombian flower grower/exporter would sign such an agreement where signatories would agree to a blanket commitment to that all PROEXPO/BANCOLDEX loans have to be "non-preferential" without any understanding as to how the Department would interpret that term. Further, the GOC argues that suspension agreements are supposed to provide certainty so that when BANCOLDEX loans are issued the GOC knows what rate must be charged to comply with the suspension agreements.

Department's Position: The Department has determined not to initiate an amendment to the suspension agreements, based on the information received. The Secretary has no reason to believe at this time that the exporters of the subject merchandise have violated the suspension agreements or that the agreements no longer meet the requirements of section 704(d)(1). Consequently, the Department will not currently renegotiate the suspension agreements with the GOC and the producers/exporters of the subject merchandises and will not terminate the suspension agreements and reopen the investigation.

Final Results of Reviews

After considering all of the comments received, we determine that the GOC and the Colombian flower growers/exporters of the subject merchandise have complied with the terms of the suspension agreements for the periods January 1, 1991, through December 31, 1991, and January 1, 1992, through December 31, 1992. In addition, we determine that the peso and U.S. dollar benchmarks established in this final notice will be effective 14 days after the date of publication of this notice. Moreover, the Department determines that the effective date for completing the repayment and/or refinancing for any outstanding peso and U.S. dollar loans to meet the new short- and long-term benchmarks in 90 days after publication of these final results in the **Federal Register**.

These administrative reviews and notice are in accordance with sections 751(a)(1)(C) of the Tariff Act (19 U.S.C. 1675(a)(1)(C)) and 19 CFR 355.22 and 355.25.

Dated: August 8, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95-20299 Filed 8-15-95; 8:45 am]

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National Oceanic and Atmospheric Administration

Monterey Bay National Marine Sanctuary Advisory Council; Open Meeting

AGENCY: Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Monterey Bay National Marine Sanctuary Advisory Council Open Meeting.

SUMMARY: The Advisory Council was established in December 1933 to advise NOAA's Sanctuaries and Reserves Division regarding the management of the Monterey Bay National Marine Sanctuary. The Advisory Council was convened under the National Marine Sanctuaries Act.

TIME AND PLACE: Friday, August 25, 1995, from 8:30 until 4:30. The meeting will be held at the Holiday Inn, 611 Ocean Street, Santa Cruz, California.

AGENDA: General issues related to the Monterey Bay National Marine Sanctuary are expected to be discussed, including an update from the Sanctuary Manager, reports from the working groups, an update on the Sanctuary license plate marketing program, and a discussion about improving public relation efforts for the Sanctuary.

PUBLIC PARTICIPATION: The meeting will be open to the public. Seats will be available on a first-come, first-served basis.

FOR FURTHER INFORMATION CONTACT: Jane Delay at (408) 647-4246 or Elizabeth Moore at (301) 713-3141.

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

David L. Evans,

Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 95-20312 Filed 8-15-95; 8:45 am]

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[I.D. 080795B]

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of scientific research permit no. 966 (P586).

SUMMARY: Notice is hereby given that Continental Shelf Associates (Principal Investigator: Stephen Viada), 759 Parkway Street, Jupiter, FL 33477-9596 has been issued a permit to take the marine mammals and sea turtles listed below for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment, in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Director, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298 (508/281-9250); and

Director, Southeast Region, NMFS, 9721 Executive Center Drive, N., St. Petersburg, FL 33702-2432 (813/893-3141).

SUPPLEMENTARY INFORMATION: On April 5, 1995, notice was published in the **Federal Register** (60 FR 17315) that a request for a scientific research permit to take cetaceans and sea turtles had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*) and the Regulations Governing the Taking, Importing, and Exporting of Endangered Fish and Wildlife (50 CFR part 222).

The permit authorized the holder to take by close approach (within 650 ft (198 m)) of a fixed-wing aircraft at a speed of 80-140 mph (128-220 km/h) an unspecified number of Atlantic bottlenose dolphins, (*Tursiops truncatus*), common dolphins (*Delphinus delphis*), striped dolphin (*Stenella coeruleoalba*), Atlantic spotted dolphins (*Stenella frontalis*), harbor porpoise (*phocoena*), Risso's dolphins (*Grampus griseus*), Atlantic white-sided dolphins (*Lagenorhynchus acutus*), rough-toothed dolphins (*Steno bredanensis*), long-finned pilot whales (*Globicephala melaena*), short-finned pilot whales (*Globicephala macrorhynchus*), pygmy sperm whales (*Kogia breviceps*), dwarf sperm whales (*Kogia simus*), Cuvier's beaked whales (*Ziphius cavirostris*), dense beaked whales (*Mesoplodon densirostris*), Antillean beaked whales (*Mesoplodon europaeus*), true's beaked whales (*Mesoplodon mirus*), white whales (*Delphinapterus leucas*), sperm whales (*Physeter macrocephalus*), fin whales (*Balaenoptera physalus*), minke whales (*Balaenoptera acutorostrata*), blue whales (*Balaenoptera musculus*), sei whales (*Balaenoptera borealis*), humpback whales (*Megaptera novaeangliae*), Northern right whales (*Eubalaena glacialis*), killer whales (*Orcinus orca*), Bryde's whales (*Balaenoptera edeni*), and pygmy killer whales (*Feresa attenuata*), 180 leatherback sea turtles (*Dermochelys coriacea*) and 270 loggerhead sea turtles (*Caretta caretta*) to document presence, density, and distribution. Surveys will be conducted through October 1996 in Norfolk, VA, and Mayport, FL, and will

encompass the continental shelf edge (300-600 ft (91-213 m) depth contours). The results of the aerial survey will provide an adequate biological assessment of the two proposed survey areas with respect to habitat utilization by marine mammals and marine turtles and aid in selecting a candidate site for shock testing the SEAWOLF submarine.

Issuance of this permit, as required by the ESA, was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of the species which are the subject of this permit; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: August 2, 1995.

Ann D. Terbush,

Chief, Permits & Documentation Division, National Marine Fisheries Service.

[FR Doc. 95-20203 Filed 8-15-95; 8:45 am]

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[I.D. 080795C]

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of modification to permit no. 778 (P772#59).

SUMMARY: Notice is hereby given that on August 3, 1995, Permit No. 778, issued to the NMFS, Southwest Fisheries Science Center, La Jolla, CA 92038, was modified.

ADDRESSES: The modification and related documents are available for review upon written request or by appointment in the following office(s): Permits Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Suite 13130 Silver Spring, MD 20910 (301/713-2289);

Director, Southwest Region, National Marine Fisheries Service, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (310/980-4001); and

Coordinator, Pacific Area Office, Southwest Region, National Marine Fisheries Service, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396 (808/973-2987).

SUPPLEMENTARY INFORMATION: The subject modification has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the provisions of §§216.33(d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR